

RECEIVED  
CENTRAL FAX CENTER

MAR 06 2006

PTO/SB/21 (09-04)

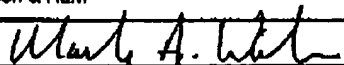
Approved for use through 07/31/2006. OMB 0651-0031

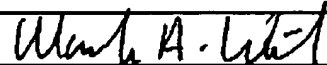
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/715,794	
	Filing Date	November 16, 2000	
	First Named Inventor	Hunter	
	Art Unit	2612	
	Examiner Name	Chris Yoder III	
Total Number of Pages in This Submission	4	Attorney Docket Number	10990361-1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> APPLICATION FOR PATENT TERM EXTENSION UNDER 37 CFR 1.705(b) (3 pages)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Wilson & Ham		
Signature			
Printed name	Mark A. Wilson		
Date	March 6, 2006	Reg. No.	43,994

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Mark A. Wilson	Date	March 6, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

**Exhibit A**

**“Auto-Reply Facsimile Transmission” received from the  
USPTO on 7/22/2004**

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 9252490111

Fax Information

Date Received:

7/22/2004 8:53:30 PM [Eastern Daylight Time]

Total Pages:

8 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====

SENT BY: WILSON & HAM; 9252490111 JUL 22-04 8:08PM PAGE 1

AGILEITY TECHNOLOGIES, INC.  
Legal Department, CLS15  
Intellectual Property Administration  
P. O. Box 7046  
Livermore, California 94537-0466

PATENT APPLICATION  
ATTORNEY IDENTIFY NO. 10000341-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Investigator: Hunter et al.  
Serial No.: 06/716,704  
Filing Date: 11/16/2000  
Title: IMAGE SENSOR PACKAGING WITH IMAGING OPTICS

Examiner: Yoder III, Chris  
Group Art Unit: 2812

COMMISSIONER FOR PATENTS  
PO Box 1440  
Alexandria, VA 22312-4400

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is the following in the above-identified application:

(X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as stipulated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
( ) Other: \_\_\_\_\_ (Fee \$ \_\_\_\_\_)

(1) FOR	(2) CLASS REMAINS AFTER AMENDMENT	(3) NUMBER SETUP	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT SETUP	(6) FEE PAID	(7) ADDITIONAL FEE
TOTAL CLASSES	3	00000	25	A B C X	\$ 55	0
INCR. CLASSES	1	00000	0	W D X	\$ 60	0
1. FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$ 200
EXTENSION FEE	1ST MONTH \$100.00	2ND MONTH \$410.00	3RD MONTH \$920.00	4th MONTH \$1430.00		\$ 0
OTHER FEE						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ \_\_\_\_\_ to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fee to Deposit Account 50-1078 under 37 CFR 1.10, 1.17, 1.10, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being transmitted  
transmitted to the Patent and Trademark Office as  
the fee shown below.

Date of Payment: 7/22/2004  
Typed Name: \_\_\_\_\_  
Signature: \_\_\_\_\_

Respectfully submitted,  
Member of st.  
By: \_\_\_\_\_  
Name: A. Wilson  
Attorney/Agent for Applicant(s)  
Reg. No. 43,984  
Date: 7/22/2004  
Telephone No.: (532) 248-1200

As such as this Page to Transmitted Paper

PAGE 13: RCVD AT 7/22/04 8:53:30 PM [Eastern Daylight Time] \* CANCELLED 7/22/04 \* CANCELLED 7/22/04 \* CANCELLED 7/22/04 \* CANCELLED 7/22/04

62-062036

Attorney Docket No. 10990361-2

# PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant: Hunter et al.**

**Group Art Unit: 2612**

**Serial No. 09/715,794**

**Examiner: Yoder III, Chriss**

**Confirmation No.: 9489**

**Filed: November 16, 2000**

**For: IMAGE SENSOR PACKAGING WITH IMAGING OPTICS**

**Mail Stop Patent Ext.**

**Commissioner for Patents**

**P.O. Box 1450**

Alexandria, VA 22313-1450

# APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR

1.705(B)

**Sir:**

Applicants hereby request that the Patent Term Adjustment for the above-identified patent application be changed from 354 days to 1,230 days.

Applicants submit herewith, the fee set forth in §1.18(e) and a Statement of Facts as required by §1.705(b).

## **Statement of Facts**

- 1) On 11/16/2000, Applicants filed the above-identified utility patent application.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date: 3/6/2006

Signed: Mark H. White

**Typed Name:** Mark A. Wilson

Attorney Docket No. 10990361-2  
Serial No. 09/715,794

1

## Application for Patent Term Adjustment

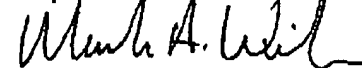
- 2) On 4/22/2004, a first non-final rejection was mailed by the USPTO.
- 3) On 7/22/2004, Applicants filed a response to the non-final rejection. The response was facsimile transmitted to the USPTO and the Fax confirmation, confirming receipt on 7/22/2004, is attached as Exhibit A.
- 4) On 1/30/2006, a Notice of Allowance was mailed to the Applicant. The Notice of Allowance included a "Determination of Patent Term Extension under 35 U.S.C. 154 (b)" of 354 days.
- 5) After reviewing the patent term adjustment history obtained from the Patent Application Information Retrieval (PAIR) system, Applicants assert the following:
  - a) Applicants are not responsible for a delay of 473 days because a response was timely filed on 7/22/2004, which is three months from the date of the 4/22/2004 non-final rejection.
  - b) Under §1.702(a)(2), issuance of the patent was delayed by the Office for failure to respond to a reply under 35 U.S.C. 132 not later than four months after the date on which the reply was filed.
  - c) Applicants are entitled to a patent term extension of **1,230 days** instead of the 354 days calculated by the Office. Applicants assert that the term extension should be calculated as follows:
    - 827 days** for failure of the Office to issue a notification under 35 U.S.C. 132 within 14 months from the application filing date; and
    - 403 days** for failure of the Office to respond to a reply under 35 U.S.C. 132 not later than four months after the date on which the 7/22/2004 reply was filed by the Applicants.
- 6) Applicants assert that there are no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of the above-identified application as set forth in §1.704.

Charge \$200 to Deposit Account 50-3718 to cover the fee set forth in §1.18(e).  
At any time during the pendency of this application, please charge any fees  
required or credit any over payment to Deposit Account 50-3718 pursuant to 37  
CFR 1.25. Additionally please change any fees to Deposit Account 50-3718  
under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21.

If there are any questions regarding this Application, please do not hesitate to  
contact me.

Date: March 6, 2006

Respectfully submitted,



Mark A. Wilson  
Reg. No. 43,994

P.O. Box 1920  
Denver, Colorado 80201-1920  
Phone: (925) 249-1300  
Fax: (925) 249-0111